

Notice of Allowability

Application No.

09/657,812

Applicant(s)

HEITMANN, UWE

Examiner

Art Unit

Carlos Lopez

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/05/03.
2. ☒ The allowed claim(s) is/are 4-25.
3. ☒ The drawings filed on 08 September 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

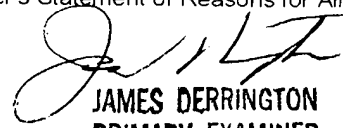
7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>5/23</u> |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |


JAMES DERRINGTON
PRIMARY EXAMINER
ART UNIT 137-1731

Art Unit: 1733

Cancel claims 1-3.

4. (Amended) The arrangement according to claim 25, wherein cladding forms the reflection panels.

5. (Amended) The arrangement according to claim 4, wherein the damping mats comprise exchangeable damping elements.

6. The arrangement according to claim 5, wherein the damping elements comprise truncated cones connected to the machine cladding by a central screw connection.

7. (Amended) The arrangement according to claim 6, wherein the truncated cones have absorption surfaces and the damping elements include cladding sheets having openings in the manner of a sieve covering the truncated cones.

8. (Twice Amended) The arrangement according to claim 25, wherein the production machine includes a removable carriage containing the hollow wall elements.

9. (Amended) The arrangement according to claim 8, wherein the removable carriage includes a corner profile strip having a hollow space filled with damping material, and the reflection plates and the panels are insertable into the corner-profile strips.

10. (Amended) The arrangement according to claim 25, wherein the production machine includes a door having inside and outside cladding sheets with reflection surface interposed between the inside and outside cladding sheets defining hollow spaces between the reflection surface and a respective one of the inside and outside cladding sheets, and wherein the damping material comprises damping mats filling the hollow spaces, and the door further includes a profile frame comprising a hollow body having a pivoting axis and recessed sealing elements and the cladding sheets are inserted into the profile frame.

11. The arrangement according to claim 10, further including spacing sleeves screwed together and stabilizing the cladding sheets and the reflection surface.

12. (Amended) The arrangement according to claim 25, wherein the production machine includes a window flap comprising two viewing panes, a profile strip into which the viewing panes are inserted, and a cladding sheet inserted into the profile strip and limiting a hollow space filled with damping mats.

13. (Amended) The arrangement according to claim 25, wherein the at least two tobacco-processing production machines are limited by at least one personnel standing region that is provided with a damping layer.

14. The arrangement according to claim 13, wherein the damping layer comprises exchangeable damping tiles that cover an entire surface beneath the production machines.

15. The arrangement according to claim 14, wherein the damping tiles comprise grid-type supports having tile boxes filled with damping material.

16. The arrangement according to claim 15, wherein the tile boxes include a gridiron support forming a standing surface.

17. The arrangement according to claim 16, wherein the damping tiles have stress-specific covers inserted into the gridiron support.

18. The arrangement according to claim 15, wherein the tile box includes a gridiron support including elevations, and lateral and floor-side buffers.

19. The arrangement according to claim 17, wherein the gridiron support of a tile box has rounded edges, the tile box includes a fine-mesh sieve positioned on the damping mat, a sound-permeable film that covers the fine-mesh sieve, and the gridiron support rests on the sound-permeable film.

20. (Twice Amended) The arrangement according to claim 25, wherein the production machine has air-flow cross sections for supplying process air and flow conduits, at least some of the flow conduits are clad with sound-damping material, and the air-flow cross sections are predominantly concentrated in the flow conduits clad with sound-damping material.

21. The arrangement according to claim 20, wherein the sound-damped flow conduits are concentrated in a floor region of the production machine.

22. The arrangement according to claim 20, wherein the production machine has cladding with air-passage gaps which are configured as sound-absorbing damping gaps.

23. (Amended) The arrangement according to claim 25, wherein the sound-damping mats are arranged such that noise from outside of the tobacco production machine is absorbed.

24. (Amended) The arrangement according to claim 25, wherein the sound-damping mats are arranged such that noise from outside of the tobacco production machine is at most only minimally reflected.

25. (New) An arrangement for reducing noise level in a control area of production machines in the tobacco-processing industry, comprising in combination,

at least two tobacco-processing production machines arranged at an angle to each other, wherein the production machines have hollow wall elements facing the control area, each said hollow wall elements having sieve perforated sheet metal panels facing the control area and reflection panels facing the respective production machine; and sound damping mats being arranged between the sieve perforated sheet metal panel and the reflection panel of each of the hollow wall elements.

REJOINDER

Linking claims 1 is allowed. Since the restriction requirement between species E, as set forth in Paper No. 6 and 9 mailed on 5/17/02 and 8/27/02 respectively, was conditioned on the nonallowance of the linking claim(s), **the restriction requirement as to the linked inventions is hereby withdrawn.** Claims 13-19, previously withdrawn from consideration as a result of the restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104. In view of the withdrawal of the restriction requirement as to the linked inventions, applicant(s) are advised that if any claim(s) depending from or including all the limitations of the allowable linking claim(s) be presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chad Anderson on 5/23/03.

The application has been amended as follows:

In the last line of claim 10, after the term "the", - - inside and outside- - was inserted.

REASON'S FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The cited prior art does not disclose or reasonably suggest sound damping mats between the between the sieve perforated sheet metal panel and the reflection panel of each hollow element that faces the control area of tobacco processing machines.

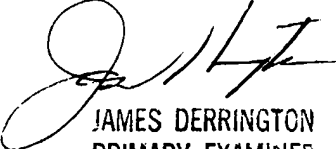
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lopez whose telephone number is (703) 605-1174. The examiner can normally be reached on Mon.-Fri. 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on (703) 308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7718 for regular communications and (703) 305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

C.L
May 28, 2003


JAMES DERRINGTON
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ART UNIT 137-1731